

12-28-01

002

A

Docket No: 5205BD1  
PatentCommissioner for Patents  
Box PATENT APPLICATION  
Washington, DC 20231JC927 U.S. PTO  
10/029016  
12/20/01NEW APPLICATION FOR TRANSMITTALTransmitted herewith for filing is the patent application of the following  
Inventor(s): *Anthony Celeste, John Wozney and Scott Theis* ;For: *Neuronal Uses of BMP-11*

## 1. Papers enclosed which are required for a filing date under 35 CFR 1.53(b):

- ☒ Pages of specification - *46* pages  
☒ Sequence Listing - *9* pages on:  
☐ CD Rom or CD-R (2 copies); or  
☒ paper } *total 57 pages*  
☒ Pages of claims - *1* pages  
☒ Page(s) of abstract - *1* pages  
☐ Sheets of drawing - pages  
☐ Formal  
☐ Informal

## 2. Additional papers enclosed

- ☒ Information Disclosure Statement *2 pp*  
☒ Form PTO-1449 *2 pp*  
☐ Citations  
☐ Declaration of Biological Deposit  
☒ Computer Readable Form of Sequence Listing *Transfer Request from Parent App 1p.*  
☒ Declaration Under 37 CFR 1.821(f) *>(1 paper)*  
☒ Other: *Letter 1p*

## 3. Declaration

- ☒ Enclosed and executed by all inventor(s) *copy from previous application 1p.*  
☐ Not enclosed or not executed by all inventor(s)

**CERTIFICATE OF MAILING 37 CFR §1.10**

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number *EL564797303 US* addressed to the Commissioner for Patents, Box PATENT APPLICATION, Washington, DC 20231.

*December 20, 2001*  
Date

*Ellen J. Kupinas*

Docket No: **5205BD1**  
Patent

4. Assignment

An assignment of the invention to:

Genetics Institute, Inc.

- ☒ was made in the prior application and recorded in PTO on \_\_\_\_\_, Reel \_\_\_\_\_, Frame \_\_\_\_\_  
☐ is attached under separate Recordation Form Cover Sheet.  
☒ will follow.

5. Filing Fee Calculation

CLAIMS FEE			
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA x RATE	(4) BASIC FEE
			\$710.00
TOTAL CLAIMS	6	x \$ 18.00	
INDEPENDENT CLAIMS	6	3 x \$ 80.00	240.00
MULTIPLE DEPENDENCY FEE		\$ 270.00	
Total Filing Fee:			950.00

6. Method of Payment of Fees:

Charge Deposit Account No. 07-1060 in the amount of \$ **950.00**

A duplicate of this transmittal is attached.

7. Instructions as to Overpayment:

Credit any overpayment to Deposit Account No. 07-1060.

8. General Authorization:

During the pendency of this application treat any reply requiring a petition for extension of time for its timely submission as containing a request therefor for the appropriate length of time. The Commissioner is hereby authorized to charge all required extension of time fees during the entire pendency of this application to Deposit Account No. 07-1060.

10029015-13001  
T00222T-9T062001

Docket No:  
Patent

9. Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. 07-1060
- ☒ 37 CFR 1.16(a), (f), or (g) filing fees
- ☒ 37 CFR 1.16(b), (c), and (d) presentation of extra claims
- ☒ 37 CFR 1.16(e) surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application.
- ☒ 37 CFR 1.17 application processing fees

10. Relate back (35 USC 119(e))

- ☐ Amend the Specification by inserting before the first line the sentence:

—This application claims priority from copending provisional application(s) serial number 60/ filed on —

11. REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

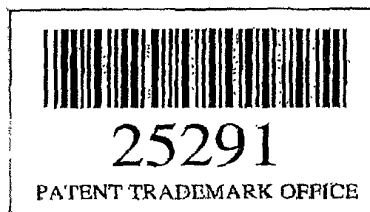
- ☐ A request not to publish this application and certification under 35 U.S.C. 122(b)(2)(B)(i) is attached.

12. Correspondence Address and Telephone Number

SEND CORRESPONDENCE TO:

Customer Number: 25291

Bar Code:



DIRECT ALL TELEPHONE CALLS TO:

Name: ~~Ellen~~ Ellen Kapinos

Tel. No. (617) 665-8622

13. ☒ Return Receipt Postcard is attached.

*Ellen J. Kapinos*

Reg. No. 32,245

American Home Products Corporation  
Patent Law Department  
Five Giralda Farms  
Madison, NJ 07940-0874  
Tel. No. (913) 660-5000

DOCKET NO.: GI 5205BD1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Anthony J. Celeste, John Wozney and Scott R. Theis

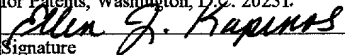
Serial No.: TBD

Group Art Unit: TBD

Filed: December 20, 2001

Examiner: TBD

For: Neuronal Uses of BMP-11

Express Mail Label No.: EL564797303US
Date of Deposit: December 20, 2001
I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature
Ellen J. Kapinos
Please Print Name of Person Signing

Assistant Commissioner of Patents  
Washington, D.C. 20231

**REQUEST TO TRANSFER CRF IN ACCORDANCE WITH 37 CFR 1.821 (e) and (f) and  
STATEMENT PURSUANT TO 37 CFR 1.821 *et seq***

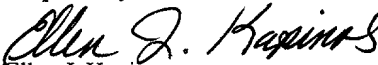
Dear Sir:

This is in request to transfer the Computer Readable Form (CRF) of the Sequence Listing in application USSN 09/414,234 to the present application.

Pursuant to the requirements of 37 CFR §1.821 *et seq* the undersigned attorney for Applicants hereby states to the best of her knowledge and belief, that the content of the Sequence Listing provided herewith and the computer readable copy of said Sequence Listing being transferred from USSN 09/414,234 are the same.

If any fee is due with regard to this paper, Applicants hereby authorize payment of such fee from Deposit Account No. 07-1060.

Respectfully submitted,

  
Ellen J. Kapinos

Reg. No. 32,245

Attorney for Applicants

Legal Affairs

Genetics Institute

(617)-665-8622

Correspondence Address:

Kay E. Brady

American Home Products

Patent Law Dept.

Five Giralda Farms

Madison, New Jersey 07940

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT

(\$ 950.00

## Complete if Known

Application Number

TBD

Filing Date

December 20, 2001

First Named Inventor

Anthony Celeste

Examiner Name

TBD

Group Art Unit

TBD

Attorney Docket No.

GI 5205BD1

## METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

07-1060

Deposit  
Account  
Name

GENETICS INSTITUTE

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status  
See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

710

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES

Total Claims 6 -20\*\* = 0 X 0 = 0

Independent Claims 6 -3\*\* = 3 X 80 = 240

Multiple Dependent 0 = 0

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 80 202 40 independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 \*\* Reissue independent claims  
over original patent110 18 210 9 \*\* Reissue claims in excess of 20  
and over original patent

SUBTOTAL (2)

(\$ 950

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Small  
Entity Entity

Fee Fee Fee Fee Fee

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

105 130 205 65 Surcharge - late filing fee or oath

127 50 227 25 Surcharge - late provisional filing fee or  
cover sheet

139 130 139 130 Non-English specification

147 2,520 147 2,520 For filing a request for ex parte reexamination

112 920\* 112 920\* Requesting publication of SIR prior to  
Examiner action113 1,840\* 113 1,340\* Requesting publication of SIR after  
Examiner action

115 110 215 55 Extension for reply within first month

116 390 216 195 Extension for reply within second month

117 890 217 445 Extension for reply within third month

118 1,390 218 695 Extension for reply within fourth month

128 1,890 228 945 Extension for reply within fifth month

119 310 219 155 Notice of Appeal

120 310 220 155 Filing a brief in support of an appeal

121 270 221 135 Request for oral hearing

138 1,510 138 1,510 Petition to institute a public use proceeding

140 110 240 55 Petition to revive - unavoidable

141 1,240 241 620 Petition to revive - unintentional

142 1,240 242 620 Utility issue fee (or reissue)

143 440 243 220 Design issue fee

144 600 244 300 Plant issue fee

122 130 122 130 Petitions to the Commissioner:

123 50 123 50 Processing fee under 37 CFR 1.17(q)

126 180 126 180 Submission of information Disclosure Stmt

581 40 581 40 Recording each patent assignment per  
property (times number of properties)146 710 246 355 Filing a submission after final rejection  
(37 CFR § 1.129(a))149 710 249 355 For each additional invention to be  
examined (37 CFR § 1.129(b))

179 710 279 355 Request for Continued Examination (RCE)

169 900 169 900 Request for expedited examination  
of a design application

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Name (Print/Type)

Ellen J. Kapinos

Registration No.  
(Attorney/Agent)

32,245

Complete (if applicable)

Telephone

617 665-8622

Signature

Ellen J. Kapinos

Date

December 20, 2001

WARNING: Information on this form may become public. Credit card information should not  
be included on this form. Provide credit card information and authorization on PTO-2038.Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on  
the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC  
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Anthony J. Celeste, John Wozney and Scott R. Theis

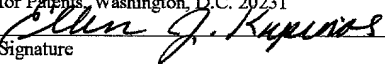
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Signature
Ellen J. Kapinos
Please Print Name of Person Signing

Assistant Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

**Letter**

Pursuant to 37 CFR §1.53 the enclosed divisional application is being filed. In accordance with instructions from Mr. Robert Spar December 19, 2001, the specification has been amended to reflect the amendments made in the parent application USSN 09/414,234 filed October 7, 1999. The amendments update the status of related applications and add sequence identifiers where necessary. The claims have been amended to reflect the subject matter of the divisional application. None of the amendments constitute new matter.

Respectfully submitted,



Ellen J. Kapinos  
Reg. No. 32,245  
Attorney for Applicants  
(617) 665-8622

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American Home Products  
Patent Law Department  
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